

# MEMO ENDORSED

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September 16, 2020

VIA ECF ONLY

Hon. Valerie E. Caproni, U.S.D.J.  
United States District Court, S.D.N.Y  
40 Foley Square, Room 443  
New York, New York 10007

Re: Anthony Velez v. Girraphic LLC  
20 Civ. 5644 (VEC)(RWL)

Dear Judge Caproni:

I represent Anthony Velez, Plaintiff in the above-referenced action. I write to request a second adjournment of the Initial Pretrial Conference (“IPTC”) in this matter, which is currently scheduled for Friday, September 25, 2020, at 12:00 p.m.

On September 3, 2020, I sent a copy of the Court’s Order dated August 31, 2020, which rescheduled the IPTC to September 25, 2020, to Barry Janay, Esq., who at one time was representing Defendant Girraphic LLC. At that time I also sent him the Affidavit of Service reflecting that Defendant was served a copy of the Summons and Complaint on August 31, 2020. I have received no response from Mr. Janay and do not know if he still represents Defendant.

Accordingly, it is not possible to file a joint letter and proposed Case Management Schedule at this time. Defendant is now required to answer or move by September 21, 2020. It is respectfully requested that the IPTC be adjourned pending an appearance by counsel for Defendant.

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Margaret McIntyre

cc: Barry E. Janay, Esq. - (by email and regular mail)  
Law Office of Barry E. Janay, PC

The IPTC scheduled for September 25, 2020, is adjourned until **October 2, 2020, at 11:00 a.m.** The parties' joint letter and proposed Case Management Plan is due not later than **September 24, 2020**. Plaintiff is required to send this order to Mr. Janay and to serve this order on Defendant Girraphic LLC not later than **September 18, 2020**. Plaintiff must file proof of service of this order on the docket. If no attorney has made an appearance for Defendant by **September 24, 2020**, Plaintiff must file a Proposed Order to Show Cause for Default Judgment and a Proposed Default Judgment in accordance with the Court's Individual Practices not later than **October 2, 2020**.

SO ORDERED.

  
09/17/2020

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE